

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ANTHONY MENDES
AND DORIS MENDES,

Plaintiffs,

* C. A. No.: 05-11765-DPW

v.

CENDANT MORTGAGE,

Defendant.

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UNOPPOSED MOTION TO EXTEND UNTIL WEDNESDAY,
OCTOBER 25, 2006, THE DATE TO
RESPOND TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

Plaintiffs, Anthony and Doris Mendes, hereby move to continue to Wednesday, October 25, 2006, by the date by which they must respond to Defendant, Cendant Mortgage's, Summary Judgment Motion. As grounds therefor, plaintiffs state:

1. Over the weekend plaintiff's counsel attempted to scan all exhibits to his opposition into a form acceptable for e-filing with the federal court.
2. Unfortunately, his computer system did not permit him to do so.
3. Plaintiffs need additional time to format exhibits. He will seek to do so using other equipment or using other procedures (if any) of which he may become aware.
4. The requested extension should provide the time to complete the formatting of exhibits.
5. The opposition otherwise is completed.
6. The two day extension will not delay a decision on the Defendant's motion because the next court appearance is scheduled for November 9, 2006.

7. Defendant does not oppose this motion.
8. Plaintiffs' counsel apologizes for the delay that has resulted from the inability to format exhibits.

WHEREFORE, Plaintiffs, Anthony and Doris Mendes, request that their Assented to Motion to Extend the Date to Respond to Defendant's Summary Judgment Motion be allowed.

ANTHONY AND DORIS MENDES,

By their attorney,
LAW OFFICE OF CHRISTOPHER J. TROMBETTA

/s Christopher J. Trombetta
Christopher J. Trombetta (BBO #556923)
310 North Main Street, Suite 6
Mansfield, MA 02048
(508) 339-5900

ASSENTED TO:

CENDANT MORTGAGE
By its Attorney,

FOLEY & LARDNER LLP

/s Andrew K. Goldstein
Andrew K. Goldstein, Esq.
Foley & Lardner LLP
111 Huntington Avenue
Boston, MA 02199

October 23, 2006